

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**EDWARD THOMAS KENNEDY,**

**Plaintiff,**

**v.**

**UNITED STATES et al.,**

**Defendants.**

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**Civil Action No. 4:19-cv-00124-O**

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case. *See* FCR, ECF No. 5. The Magistrate Judge recommended this Court deny Plaintiff's Motion to Proceed in Forma Pauperis. *See id.* Plaintiff timely filed objections. Pl.'s Obj., ECF No. 8. The District Court conducts a *de novo* review of the portions of the FCR to which a party objects.

The Magistrate Judge found that Plaintiff has sufficient resources to pay the applicable fees because he receives \$1,600 in monthly social security payments and lists no dependents. FCR 2, ECF No. 5. Plaintiff objects to this finding, arguing that he is a Papal Knight and ordained Roman Catholic Priest who took an oath of poverty. Pl.'s Obj. 2, ECF No. 8. However, "[w]hether a party may proceed IFP in the district court is based solely on economic criteria...The central question is whether the movant can afford the costs without undue hardship or deprivation [of] the necessities of life." *Harris v. Sullivan*, No. 94-40496, 1995 U.S. App. LEXIS 43163, at \*6 (5th Cir. Mar. 8, 1995). Here, Plaintiff's objections do not demonstrate undue hardship or deprivation of the

necessities of life. Additionally, the Court notes that Plaintiff is a vexatious litigant who has filed similar cases throughout federal courts in the United States.<sup>1</sup>

Therefore, the Court **OVERRULES** Plaintiff's Objections (ECF No. 8) and **ACCEPTS** the Findings, Conclusion, and Recommendation of the Magistrate Judge (ECF No. 5). Accordingly, Plaintiff's Motion to Proceed in Forma Pauperis (ECF No. 2) is **DENIED**.

**SO ORDERED** on this **1st day of April, 2019**.

  
Reed O'Connor  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> In 2018, for example, the Eastern District of Pennsylvania dismissed eleven lawsuits filed by Plaintiff. *See In re Kennedy*, No. 19-cv-0163, 2019 BL 25268, 2019 US Dist. Lexis 12625 (E.D. Pa. Jan 25, 2019). The District of D.C. noted that Plaintiff has asserted similar claims in the U.S. District Court of Massachusetts, U.S. District Court for the Middle District of Pennsylvania as well as against the Department of the Treasury and Social Security Administration. *See Kennedy v. SSA*, No. 18-2700 (UNA), 2018 BL 483498 (D.D.C. Dec. 31, 2018). Plaintiff has contemporaneously filed another case here in the Northern District of Texas alleging similar claims. *See Kennedy v. United States et al.*, 4:19-cv-144 (N.D. Tex. Feb. 15, 2019).